



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,391	06/28/2001	Margaret C. Mitchell	40655.4600	5303
7590	01/11/2005		EXAMINER MEKY, MOUSTAFA M	
Snell & Wilmer 400 E. Van Buren Phoenix, AZ 85004-2202			ART UNIT 2157	PAPER NUMBER

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/893,391	MITCHELL ET AL.	
	Examiner	Art Unit	
	Moustafa M Meky	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-29 and 32-36 is/are allowed.
- 6) ☒ Claim(s) 30 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/21/02, 9/27/04</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2157

1. The amendment filed 9/27/2004 has been entered and considered by the examiner.

2. Claims 1-36 are presenting for examination.

3. The applicant is advised that claim 20 should depend on claim 19 not claim 29.

Also, claim 31, line 2, the word "or" should be replaced by the word -- of --, and line 3, the word "public", should be replaced by the word -- private --.

4. Claims 1-29 & 32-36 are allowed over the prior art of record.

4.1. None of the prior art of record taken singularly or in combination teaches or suggests acquiring public data determined by private data, acquiring private data, integrating the public data and the private data to form integrated data, and delivering the integrated data to a user system (claims 1 & 17).

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 30-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Kambayashi (US Pat. No. 6,163,799).

Art Unit: 2157

7. As to claim 30, Kambayashi shows in Figs 1-2, a method for facilitating the receipt of public data and private data, the method comprising the steps of:

- accessing a network (Internet), see the abstract, lines 1-2, col 7, lines 38-39 (notice www indicating that the network is the Internet);
- accessing a host computer system (server system) 2 (Fig 1) coupled to the network (Internet), see the abstract, col 7, lines 38-46;
- requesting at least one item of public data (home page of the host system 2) from at least one publicly available data store within the host system 2, see col 7, lines 45-48, lines 55-65;
- requesting at least one item of private data (personal information) from at least one private available data store (personal information control section 29, see Fig 1), see col 7, lines 49-54, lines 66-67, col 8, lines 1-7;
- receiving the at least one item of public data and the at least one item of private data at the client system 1a (Fig 1), see col 7, lines 45-67, col 8, lines 1-7.

8. As to claim 31, the receiving step includes the step of receiving the at least one item of public data and the at least one item of private data at approximately the same time, see col 7, lines 45-67, col 8, lines 1-7.

Therefore, it can be seen from the above that Kambayashi anticipates claims 30-31.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Moustafa M Meky whose telephone number is 571-272-4005. The examiner can normally be reached on flex.

Art Unit: 2157

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MMM
1/8/2005


MOUSTAF A M. MEHY
PRIMARY EXAMINER